

RESOLUTION NO. AQM _____

Rule 466 – SOLVENT CLEANING

**THE BOARD OF DIRECTORS
OF THE SACRAMENTO METROPOLITAN AIR QUALITY
MANAGEMENT DISTRICT**

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District is authorized to adopt, amend or repeal rules and regulations by Sections 40001, 40702, 40716 and 41010 of the California Health and Safety Code (Health and Safety Code Section 40727(b)(2)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the VOC content limit in Rule 466 – SOLVENT CLEANING for the sterilization of food manufacturing and processing equipment is infeasible for dry and low-moisture food processors; and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that a need exists to amend Rule 466 to maintain food safety by adding an exemption from the VOC content limit for sanitizing products used on dry and low-moisture food manufacturing and processing equipment (Health and Safety Code Section 40727(b)(1)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the meaning of Rule 466 can be easily understood by the persons affected by it (Health and Safety Code Section 40727(b)(3)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that the rule is in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations (Health and Safety Code Section 40727(b)(4)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that Rule 466 does not duplicate any existing state or federal regulations (Health and Safety Code Section 40727(b)(5)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that Rule 466 implements California Health and Safety Code sections 40910, 40913, 40914, 40919(a)(3); Title 17 of the California Code of Regulations sections 70500, 70600, and 70601; and sections 182(c), (d), and (f) of the federal Clean Air Act Amendments of 1990 (Health and Safety Code Section 40727(b)(6)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that a written analysis of existing federal regulations and other District rules is not required because the amendments to Rule 466 do not impose a new emission limit or standard, make an existing limit or standard more stringent, or impose any new or more stringent monitoring, reporting, or recordkeeping requirements (Health and Safety Code Section 40727.2(g)); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District has maintained records of the rulemaking proceedings (Health and Safety Code Section 40728); and

WHEREAS, the Board of Directors of the Sacramento Metropolitan Air Quality Management District held a duly noticed public hearing on September 23, 2010 and continued to October 28, 2010 and considered public comment on the proposed amendments to Rule 466 (Health and Safety Code Sections 40725 and 40726); and

WHEREAS, The Board of Directors of the Sacramento Metropolitan Air Quality Management District has determined that a socioeconomic impact analysis is not required because the proposed amendments to Rule 466 will not significantly affect air quality or emissions limitations (Health and Safety Code Section 40728.5); and

WHEREAS, the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the State CEQA Guidelines exempts actions that can be seen with certainty that there is no possibility that the actions may have a significant adverse effect on the environment.

NOW, THEREFORE, BE IT RESOLVED THAT that the amendment of Rule 466 is exempt from CEQA; and

BE IT FURTHER RESOLVED THAT the Board of Directors of the Sacramento Metropolitan Air Quality Management District approves and adopts the amendment of Rule 466 – SOLVENT CLEANING.

BE IT ORDERED that the amendment of Rule 466 be effective as of October 28, 2010.

ON A MOTION by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Air Quality Management District, State of California, this 28th day of October, 2010, by the following vote, to wit:

AYES: Directors

NOES: Directors

ABSENT: Directors

Chair of the Board
Sacramento Metropolitan Air Quality Management District
State of California

(SEAL)

ATTEST: _____
Clerk of the Board
Sacramento Metropolitan Air Quality Management District